

Notice of Allowability	Application No.	Applicant(s)	
	09/109,830	KENNELLY ET AL.	
	Examiner	Art Unit	
	Clark F. Dexter	3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephone interview of June 22, 2004.
2. ☒ The allowed claim(s) is/are 19-39.
3. ☒ The drawings filed on 16 March 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>29</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Mark Matkin on June 22, 2004.

2. The application has been amended as follows:

In the Claims

Claim 19 has been rewritten as follows:

--19. (Currently amended): A cutting apparatus ~~fence for a cutting table~~, comprising:

a cutting table having a work support surface, and a cutting tool at least proximate to the work support surface for cutting a workpiece on the work support surface;

a pair of elongated guide rails ~~to be~~ mounted to the cutting table;

a chain ~~endless chains, one~~ on each guide rail, ;

a pair of sprockets rotatably mounted on each guide rail ~~and~~ with each pair of sprockets mounting one of said ~~endless~~ chains;

each chain including sprocket tooth receiving spaces and a working flight extending along the associated guide rail;

a shaft interconnecting one of the sprockets on one guide rail with ~~another~~ one of the sprockets on the remaining guide rail;

an elongated cutting guide extending across the work support surface; and

aligning lugs ~~releasably~~ interconnecting the cutting guide and the working flights and oriented substantially normal to the working flights, each of the aligning lugs projecting from one of the cutting guide and the corresponding working flight and being slidably received in the other of the corresponding working flight and the cutting guide, respectively, for connecting the cutting guide to the chains to transmit motion to the cutting guide along the guide rails responsive to movement of the chains along the guide rails, the slidable connection of the aligning lugs permitting disconnection to permit separation of the cutting guide from the chains by lifting the cutting guide in a direction substantially normal to the working flights.--.

Claim 20, line 1, "A fence for a cutting table" has been changed to --The cutting apparatus--.

Claim 21, line 1, "A fence for a cutting table" has been changed to --The cutting apparatus--.

Claim 22, line 1, "A fence for a cutting table" has been changed to --The cutting apparatus--.

Claim 23, line 1, "A fence for a cutting table" has been changed to --The cutting apparatus--.

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Claim 24, line 1, "A fence for a cutting table" has been changed to --The cutting apparatus--.

Claim 25, line 1, "A fence for a cutting table" has been changed to --The cutting apparatus--.

Claim 26, line 1, "A fence for a cutting table" has been changed to --The cutting apparatus--.

Claim 27, line 1, "A fence for a cutting table" has been changed to --The cutting apparatus--.

Claim 28, line 1, "fence for a cutting table" has been changed to --cutting apparatus--.

Claim 29, line 1, "fence for a cutting table" has been changed to --cutting apparatus--.

Claim 30, line 1, "fence for a cutting table" has been changed to --cutting apparatus--.

Claim 31, line 1, "fence for a cutting table" has been changed to --cutting apparatus--.

Claim 32, line 1, "fence for a cutting table" has been changed to --cutting apparatus--.

Claim 33, line 1, "fence for a cutting table" has been changed to --cutting apparatus--.

Claim 34, line 1, "fence for a cutting table" has been changed to --cutting apparatus--.

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Claim 35, line 1, "fence for a cutting table" has been changed to --cutting apparatus--.

Claim 36, line 1, "fence for a cutting table" has been changed to --cutting apparatus--.

Claim 37, line 1, "fence for a cutting table" has been changed to --cutting apparatus--.

Claim 38, line 1, "fence for a cutting table" has been changed to --cutting apparatus--.

Claim 39, line 1, "fence for a cutting table" has been changed to --cutting apparatus--.

In the Specification

In line 2 of the replacement paragraph for the paragraph beginning at line 21 on page 9,

filed on March 16, 2004, a comma --,-- has been inserted after "28".

Page 9, line 23, --24-- has been inserted after "guide", and --28-- has been inserted after "lug";

line 24, --28-- has been inserted after "lug".

In the Abstract

Line 9, "another" has been deleted;

Line 11, --sprockets-- has been inserted before "rotating".

Additional Prior Art

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The newly-cited prior art disclose inventions which have features similar to the claimed invention. However, these inventions, each taken alone or in combination with the prior art of record, do not teach or fairly suggest the claimed invention.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance:

None of the prior art of record, taken alone or in combination, teaches or fairly suggests the claimed invention. For example, the prior art does not teach or suggest a cutting apparatus comprising the claimed combination of features including a cutting table as claimed, a cutting tool as claimed, elongated guide rails as claimed, chains as claimed, sprockets as claimed, a shaft as claimed, and an elongated cutting guide as claimed, particularly aligning lugs as claimed that cooperate with the working flights as claimed to permit disconnection by lifting the cutting guide as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Remarks

5. Due to the allowability of claim 19, the restriction requirement has been withdrawn, and the non-elected claims have been rejoined. Further, it is noted that the above changes obviate the outstanding rejections under 35 USC 112. Therefore, a response to the outstanding Office action mailed June 15, 2004 is not required.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark F. Dexter whose telephone number is (703)308-1404. The examiner can be reached Monday through Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on (703)308-1082. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Clark F. Dexter', is positioned above the printed name.

Clark F. Dexter
Primary Examiner
Art Unit 3724

cfd
June 25, 2004